

08-22-01

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Please type a plus sign (+) inside this box ☐Attorney Docket P0978-1C1D1
PATENT

CERTIFICATION UNDER 37 CFR 1.10

EL 809447676US Express Mail Label No. August 21, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Diane L. Marschang
Diane L. Marschang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA

Title: Apo-2 Ligand

1. Type of Application

[X] This is a [X] divisional application claiming priority to application Serial Number 09/459,808 filed December 13, 1999, which is a continuation application of application Serial Number 08/584,031 filed January 9, 1996, the entire disclosures of which are hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

75 pages of specification
4 pages of claims
1 page(s) of abstract
5 sheet(s) of drawings
☐ formal ☒ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
 ___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

08/21/01
 jc887 U.S. PTO

jc996 U.S. PTO
 09/934465
 08/21/01

09/24/99 = 09/24/01

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

☐ An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [] will follow.

(for cont./div.)

☒ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☒ Cancel in this application original claims 1-23, 25, 26, 28, and 29 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	16	- 20 =	0	X \$18.00	\$0.00
Independent Claims	2	- 3 =	0	X \$80.00	\$0.00
<input checked="" type="checkbox"/> Multiple dependent claim(s), if any				+ \$270.00	\$270.00
Filing Fee Calculation					\$980.00

7. Method of Payment of Fees

☒ The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$980.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
☒ Submission of paper copy of substitute Sequence Listing, and Request to Use Computer-Readable Sequence Listing Under 37 CFR Section 1.821(e).

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

_____ A petition, fee and/or response has been filed to extend the term in
the pending prior application until _____

_____ A copy of the petition for extension of time in the **prior** application
is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted,
GENENTECH, INC.

Date: August 21, 2001

By: Diane L. Marschang
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416



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PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi Serial No.: To be assigned Filed: August 21, 2001 For: Apo-2 Ligand	Group Art Unit: To be assigned Examiner: To be assigned
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REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTING

UNDER 37 CFR §1.821(e)

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant respectfully requests that the compliant computer-readable Sequence Listing filed in prior application Serial No. 08/584,031 (to which priority is claimed under Section 120) be used as the computer-readable Sequence Listing for the present, above-identified application.

The paper copy of the substitute Sequence Listing filed in the present application is identical to the computer-readable copy of the Sequence Listing filed in the application Serial No. 08/584,031. The undersigned hereby certifies that the substitute Sequence Listing does not introduce new matter into the application.

Respectfully submitted,
GENENTECH, INC.

Date: August 21, 2001

By: *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600

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